



# House of Representatives

General Assembly

**File No. 555**

January Session, 2011

Substitute House Bill No. 6157

*House of Representatives, April 18, 2011*

The Committee on Finance, Revenue and Bonding reported through REP. WIDLITZ of the 98th Dist., Chairperson of the Committee on the part of the House, that the substitute bill ought to pass.

## ***AN ACT CONCERNING STATE FORESTRY PROGRAMS.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 23-20 of the general statutes is repealed and the  
2 following is substituted in lieu thereof (*Effective from passage*):

3 (a) The Commissioner of Environmental Protection shall administer  
4 the statutes relating to forestry and the protection of forests. The  
5 commissioner may: [employ] (1) Employ such field and office  
6 assistants as may be necessary for the execution of his or her duties, [. The commissioner may,] (2) from time to time, publish the forestry  
7 laws of the state and other literature of general interest and practical  
8 value pertaining to forestry, [. The commissioner may] (3) enter into  
9 cooperation with departments of the federal government for the  
10 promotion of forest resource management and protection within the  
11 state, [. The commissioner may,] and (4) with the assistance of the State  
12 Forester, develop and administer plans for the protection and  
13 management of publicly owned woodlands. Such plans shall include,  
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15 but not be limited to, proposals for the establishment of forest  
16 plantations and the marketing of forest products.

17 (b) Not later than January 10, 2010, the commissioner shall apply to  
18 have publicly owned woodlands or products from such woodlands  
19 certified or licensed under one or more of the following, provided the  
20 commissioner uses private funding from gifts, donations or bequests,  
21 as authorized in this section, for the cost of all such applications: (1)  
22 The Sustainable Forestry Initiative Program, (2) the American Tree  
23 Farm System, (3) the Canadian Standards Association's Sustainable  
24 Management System Standards, (4) the Finnish Standard, (5) the Forest  
25 Stewardship Council, (6) the Pan-European Forest Certification  
26 Program, (7) the Swedish Standards, (8) the United Kingdom  
27 Woodland Assurance Scheme, (9) the Smart Wood Program, as  
28 administered by the Rainforest Alliance, or (10) any other programs  
29 deemed necessary, as determined by the commissioner. The  
30 commissioner shall implement any sustainable forestry practice  
31 necessary for such certification or licensure. The commissioner may  
32 accept, on behalf of the Department of Environmental Protection, any  
33 gifts, donations or bequests for the purposes of applying for and  
34 obtaining such certification or licensure.

35 (c) (1) The commissioner may harvest forest products from  
36 woodlands owned by the state and take such other measures as [he or  
37 she] the commissioner deems necessary for [their] the efficient  
38 management and protection [,] of such woodlands and may sell wood,  
39 timber and other products from any state woodlands whenever [he or  
40 she] the commissioner deems such sales desirable and may develop  
41 recreational facilities in the woodlands managed by the Department of  
42 Environmental Protection. The commissioner shall charge no less than  
43 ten dollars per cord for any such wood or timber sold as fuel.

44 (2) There is established an account to be known as the "timber  
45 harvesting revolving account" which shall be a separate, nonlapsing  
46 account within the General Fund. Proceeds from the harvest of timber  
47 from state forests and state wildlife management areas shall be

48 deposited in such account. The commissioner shall use moneys in such  
49 account for the purpose of developing forest management plans to  
50 guide the harvest of timber from state forests and state wildlife  
51 management areas and for all reasonable direct expenses relating to  
52 the administration and operation of such plans in such state forests  
53 and wildlife management areas. The commissioner may accept, on  
54 behalf of the Department of Environmental Protection, any gifts,  
55 donations, loans or bequests for the purposes of depositing such funds  
56 into the timber harvesting revolving account. Any such loan from a  
57 nonprofit organization qualified under Section 501(c)(3) of the Internal  
58 Revenue Code of 1986, or any subsequent corresponding internal  
59 revenue code of the United States, as amended from time to time, shall  
60 be repaid from such account not later than two years after entering  
61 such loan agreement or at a time and upon terms agreed upon by the  
62 commissioner and such nonprofit organization. The account shall not  
63 exceed one hundred thousand dollars. Any remaining proceeds shall  
64 be deposited in the General Fund.

65 (d) The commissioner may rent state forest property and buildings  
66 thereon under his or her jurisdiction for a period not exceeding  
67 twenty-five years, provided any lease for such property and building  
68 for a term of more than ten years shall be subject to the review and  
69 approval of the State Properties Review Board. The proceeds of such  
70 sales, rentals and any receipts resulting from management of the state  
71 forests, or from reimbursements from other state departments or state  
72 institutions, shall be deposited in the General Fund in accordance with  
73 the provisions of section 4-32. Expenditures incurred by the  
74 commissioner for the protection, management and development of the  
75 forests, the preparation and marketing of forest products and the  
76 acquisition of land for the extension and completion of the state forests  
77 as provided in section 23-21 may be paid with moneys appropriated  
78 from the General Fund.

79 (e) The provisions of this section shall not apply to land owned or  
80 managed by the state on which forest resource management measures  
81 may be restricted by deed, statute, or incompatible use. As used in this

82 section, woodland means land owned or managed by a state agency  
83 and stocked with forest tree species not less than six hundred stems  
84 per acre and at least one year old.

This act shall take effect as follows and shall amend the following sections:		
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Section 1	<i>from passage</i>	23-20
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**ENV**      *Joint Favorable C/R*      FIN

**FIN**      *Joint Favorable Subst.*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

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**OFA Fiscal Note****State Impact:**

Agency Affected	Fund-Effect	FY 12 \$	FY 13 \$
Department of Environmental Protection	GF - Revenue Loss	100,000	100,000
Department of Environmental Protection	GF; Timber Harvest Revolving Account - Revenue Gain	100,000	100,000

Note: GF=General Fund

**Municipal Impact:** None

**Explanation**

The harvest of timber from state-owned land annually generates approximately \$500,000 - \$600,000 in General Fund revenue. This bill directs up to \$100,000 from those proceeds to the newly created timber harvest revolving account, a separate nonlapsing account within the General Fund. Thus, this bill results in a revenue loss to the resources of the General Fund and a revenue gain to the timber harvest revolving account.

**The Out Years**

The annualized ongoing fiscal impact identified above would continue into the future subject to the amount of annual revenue collected from the harvest of timber and state wildlife management areas.

**OLR Bill Analysis****sHB 6157*****AN ACT CONCERNING STATE FORESTRY PROGRAMS.*****SUMMARY:**

By law, the Department of Environmental Protection (DEP) commissioner may harvest timber from state-owned land and sell it for at least \$10 per cord. This bill establishes a "timber harvest revolving account" to receive the proceeds from harvesting timber.

Under the bill, the commissioner must use the account funds for (1) developing forest management plans and (2) reasonable expenses for administering and operating the plans. The bill authorizes the commissioner to accept, on DEP's behalf, any gifts, donations, loans, or bequests for the account. Any loans from a nonprofit organization must be repaid from the account within two years or as agreed upon between the commissioner and the organization.

The account cannot exceed \$100,000. Any proceeds over that amount must be deposited to the General Fund.

EFFECTIVE DATE: Upon passage

**COMMITTEE ACTION**

Environment Committee

Joint Favorable Change of Reference  
Yea 26 Nay 0 (03/09/2011)

Finance, Revenue and Bonding Committee

Joint Favorable Substitute  
Yea 52 Nay 0 (04/07/2011)